



GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
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IFW

Attorney Docket No. P26510

In re application of: Hitoshi OKAMOTO et al.

Application No. : 10/525,725

I.A. Filed : August 29, 2003

Mail Stop Amendment
Confirmation No. 8296
Group Art Unit: 1636

Examiner: Kimberly MAKAR

For : ENHANCERS SPECIFIC TO MOTOR NEURONS AND/OR SENSORY NEURONS

Mail Stop Amendment

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Transmitted herewith is an **Election with Traverse** in the above-captioned application.

☐ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

☐ A Request for Extension of Time.

☒ No additional fee is required.

The fee has been calculated as shown below:

| Claims After Amendment | No. Claims Previously Paid For | Present Extra | Small Entity | | Other Than A Small Entity | |
|-------------------------------------|--------------------------------|---------------|--------------|-----|---------------------------|--------|
| | | | Rate | Fee | Rate | Fee |
| Total Claims: 13 | 20 | 0 | x 25= | \$ | x 50= | \$0.00 |
| Indep. Claims: 4 | 4 | 0 | x 100= | \$ | x 200= | \$0.00 |
| Multiple Dependent Claims Presented | | | +180= | \$ | +360= | \$0.00 |
| Extension Fees for ____ Month(s) | | | | \$ | | \$0.00 |
| Total: | | | | \$ | Total: | \$0.00 |

* If less than 20, write 20

** If less than 3, write 3

☐ Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.

☐ A check in the amount of \$ ____ to cover the filing/extension fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

Sean Myers-Payne
Bruce H. Bernstein
Reg. No. 29,027 42920

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hitoshi OKAMOTO et al.

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For : ENHANCERS SPECIFIC TO MOTOR NEURONS AND/OR
SENSORY NEURONS

ELECTION WITHOUT TRAVERSE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

In response to the Restriction Requirement mailed July 3, 2006, which sets a one-month shortened statutory period to expire on August 3, 2006, Applicants hereby elect Group I (claims 1-8) *without traverse*. Inasmuch as this response is being filed by the one-month date of August 3, 2006, no extension of time is believed necessary. However, if any extension of time is deemed to be necessary, the same is hereby requested and the Patent and Trademark Office is authorized to charge any extension of time fees and any other fees necessary for maintaining the pendency of this application to Deposit Account No. 19-0089.

Restriction Requirement

The Office Action asserts that the application contains the following groups of inventions:

Group I, claims 1-8, allegedly drawn to vectors containing enhancer sequences

from the Islet-1 gene, and cell lines containing those vectors.

Group II, claim 9, allegedly drawn to transgenic animals comprising vectors comprising enhancer sequences from the Islet-1 gene.

Group III, claims 10-11, allegedly drawn to method of regulating gene expression using Islet-1 gene enhancer sequences into cells.

Group IV, claim 12, allegedly drawn to a method for evaluating the differentiation of pluripotent stem cells containing vectors comprising Islet-1 gene enhancer sequences.


Group V, claim 13, allegedly drawn to a method for generating motor neurons using vectors comprising Islet-1 gene enhancer sequences.

Election

Applicants elect *without traverse* the invention set forth in Group I, claims 1-8.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Hitoshi OKAMOTO et al.


Bruce H. Bernstein
Reg. No. 29,027 42,920

July 31, 2006
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